

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DIANA INGRAVALLO,

Plaintiff,

-against-

Civ. Act. No.: 10-cv-
05150(FB)(JO)

HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY, As Administrator of
the Delta Airlines, Inc. Long Term Disability
Plan,

Defendant.
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**MOTION FOR ATTORNEY'S
FEES**

DOCUMENT
ELECTRONICALLY FILED

MOTION FOR ATTORNEY'S FEES

PLEASE TAKE NOTICE, Plaintiff, Diana Ingravallo, by and through her attorney of record, Marc Whitehead, hereby submits to the Court her Motion For Attorney's Fees. This motion is based on the Affidavit of Marc Whitehead dated May 1, 2013, and the Memorandum of Law in support, the arguments of counsel, and on such laws and facts as are appropriate and applicable.

- (i) Plaintiff now submits to this Honorable Court her timely motion for attorney's fees. A favorable decision was made by this Honorable Court on March 29, 2013, designating Plaintiff as the prevailing party in this matter and noting that Plaintiff may request attorney's fees within 14 days of entry of judgment, which is May 1, 2013. [Dkt. 45],
- (ii) Plaintiff requested attorney's fees under Section 29 U.S.C. § 1132 (g)(1) of ERISA and moves for attorney's fees as outlined by Fed. R. Civ. P. 54(d)(2).

- (iii) In defending Ms. Diana Ingravallo, Plaintiff incurred at least \$82,906.56 in fees and costs of \$554.03 billed by all retained counsel. This amount is established by Plaintiff's concurrently-submitted invoice.
- (iv) Plaintiff has provided detailed documentation of the legal services performed and the costs incurred in connection with this suit, as well as the identification of the attorneys who performed the work, by counsels' billing statements and affidavit of lead counsel. This documentation informs the Court of the type of work performed, the number of hours worked, and the identity of the individuals who performed the work as well as their hourly billing rates.

WHEREFORE, premises considered, Plaintiff requests that this Honorable Court grant this Motion for Attorney's Fees.

Dated: Houston, Texas

May 1, 2013

Respectfully submitted,

/s/ Marc S. Whitehead
Marc Whitehead

Plaintiff's Counsel Admitted Pro Hac Vice:
Marc Whitehead, Esq.
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CERTIFICATE OF SERVICE

I, Marc S. Whitehead, hereby certify that on this 1st day of May, 2013, I electronically filed the foregoing document with the clerk of the court for the U. S. District Court; Eastern District of New York, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who have consented in writing to accept that Notice as service of this document by electronic means:

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/s/ Marc S. Whitehead
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